

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

ZAPATA COUNTY, TEXAS,
MELISSA CIGARROA,
CCMD, LLC & GEORGE C.
RINCON,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR. PRESIDENT OF
THE UNITED STATES; ALEJANDRO
MAYORKAS, as the secretary of THE
UNITED STATES OF AMERICA’S
DEPARTMENT OF HOMELAND
SECURITY and TROY MILLER, as
the Acting Commissioner of THE UNITED
STATES CUSTOMS AND BORDER
PROTECTION,

Defendants.

CASE NO. 5:20-CV-106

JOINT ADVISORY

1. On March 1, 2021, the Court stayed¹ Civil Action No. 5:20-CV-106 and ordered the Plaintiffs and Defendants (collectively, the “Parties”) to file a Joint Advisory on the status of this case on or before May 21, 2021.

2. The purpose of the stay was to allow the United States Department of Homeland Security (“DHS”), United States Custom and Border Protection (“CBP”), United States Department of Defense (“DOD”), and other federal agencies to develop a plan concerning the southern border wall as directed by the President’s Proclamation of January 20, 2021.²³

¹ Dkt. No. 33

² “Termination Of Emergency With Respect To The Southern Border Of The United States And Redirection Of Funds Diverted To Border Wall Construction. Proclamation No. 10142, 86 Fed. Reg. 7225 (Jan. 27, 2021).

³ Dkt. No. 33

3. In accordance with the Proclamation, suspension notices have been issued to all the construction contractors working on CBP-funded wall projects, including the CBP-funded wall projects the Laredo Sector that are at issue in this case. The suspension notices require the construction contractors to suspend all work in furtherance of their respective contracts.

4. Although the Proclamation directed that the plan be completed within 60 days of January 20, 2021, the Executive Branch is continuing to work on developing the plan and no final decisions have been made concerning the border wall projects in the Laredo Sector that are at issue in this case.

5. For the foregoing reasons, the Parties request an additional 60-day stay. A stay would continue to allow time for the relevant agencies to develop the plan and for the parties to evaluate the impacts the plan would have on the present case. For these reasons, the Parties recommend that the case be stayed for 60 days, through July 20, 2021.

Respectfully Submitted,

JENNIFER B. LOWERY

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By: *s/P. Conner Kirtley*

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